

Merchant & Gould

An Intellectual Property Law Firm

3200 IDS Center
80 South Eighth Street
Minneapolis, Minnesota
55402-2215 USA
TEL 612.332.5300
FAX 612.332.9081
www.merchant-
gould.com

A Professional Corporation

Fax Transmission | April 6, 2005

TO: Commissioner for Patents
Attn: Examiner Jiping Lu
P.O. Box 1450
Alexandria, VA 22313-1450

FROM: Gregory A. Sebald

OUR REF: 12784.2US01
TELEPHONE: 612.332-5300

Total pages, including cover letter:

PTO FAX NUMBER 1-703.872.9306


If you do NOT receive all of the pages, please telephone us at 612.332-5300, or fax us at 612.332.9081.

Title of Document Transmitted:

Notice of Appeal
Petition for Extension of Time
Amendment

Applicant: PEARCY et al.
Serial No.: 09/864,862
Filed: May 23, 2001
Group Art Unit: 3749
Our Ref. No.: 12784.2US01
Confirmation No. 2070

Please charge Deposit Account No. 13-2725 in the amount of \$510 for three month extension; \$250 for Notice of Appeal for . Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

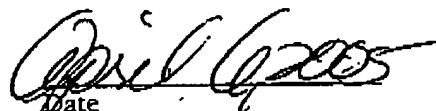
By: 
Name: Gregory A. Sebald
Reg. No.: 33,280

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Karen R. Nejedly


Signature

GEN033.DOT


Date

S/N 09/864,862

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	PEARCY et al.	Examiner:	Jiping Lu
Serial No.:	09/864,862	Group Art Unit:	3749
Filed:	May 23, 2001	Docket No.:	12784.2US01
Title:	MICROWAVE LYOPHILIZATION METHOD		

CERTIFICATE UNDER 37 C.F.R. 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on April 6, 2005.

By: 

Name: Karen R. Nejedly

NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In accordance with 37 C.F.R. § 1.191, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 1-2, 4-5, 8, 10-14 of the above-identified application, as set forth in the Office Action mailed October 6, 2004.

Please charge Deposit Account No. 13-2725 in the amount of \$250.00 to cover the required fee for filing this Notice of Appeal as set forth under 37 C.F.R. § 1.17(b).

Also enclosed is a Petition for three-month extension of time to respond to the Final rejection, thereby extending said period of response from January 6, 2005 to April 6, 2005. Please charge Deposit Account No. 13-2725 in the amount of \$510.00 to cover the required extension fee for small entity.

Please charge any additional fees or credit any overpayment to Merchant & Gould P.C., Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.

Dated: 4/6/05By: 

Gregory A. Sebald

Reg. No. 33,280

GAS/km